



PATENT

Case Docket No. LMSS.007A

Date: May 25, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hung-Han Chen, et al.
Appl. No. : 09/882,502
Filed : June 15, 2001
For : MACHINE LEARNING METHOD
Group Art Unit : 2121
Class/Sub-Class : 706-021000
Examiner : Michael B. Holmes

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 25, 2005

(Date)

John R. King
John R. King, Reg. No. 34,362

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

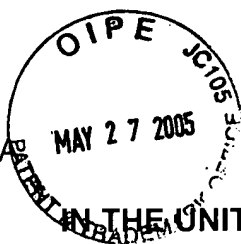
Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) A check in the amount of \$1730 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) Comments on Examiner's Statement of Reasons for Allowance in three (3) pages.
- (X) One (1) sheet of replacement drawing.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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METHOD
Examiner : Kelvin E. Booker
Group Art Unit : 2121
Confirmation No.: 8359

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants thank the Examiner for the indication of allowable subject matter in the Notice of Allowance mailed February 25, 2005. In the Statement of Reasons for Allowance accompanying the Notice of Allowance, Applicants note the following:

Claim 1

The Examiner states, among other things, that the reason for allowance of Claim 1 is that *Protein Structure Prediction Using Hybrid AI Methods* by Guan et al. ("Guan et al.") "does not disclose defining a first outcome associated with a first range of medical costs at least as great as a cost threshold, and using a plurality of software-based, computer-executable machine learners to develop from the first, second and third subsets one or more sets of rules usable to predict the first outcome or the second outcome."

To the extent that there is any implication that the patentability of Claim 1 rests on the recitation of the above-identified features in a single reference, Applicants respectfully disagree with the Examiner's Statement because it is the combination of

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features that makes Claim 1 patentable. Accordingly, Applicants submit that Claim 1 of the present application is allowable because Claim 1 recites a combination of features that is not taught or suggested by the prior art.

Claim 17

The Examiner states, among other things, that the reason for allowance of Claim 17 is that "*Guan et al.* does not disclose evaluating the set of computer-executable rules using a user selectable fitness function, and modifying the machine learning methods by using the results of the evaluating act, and presenting a final set of computer-executable rules usable to predict the first outcome or the second outcome."

To the extent that there is any implication that the patentability of Claim 17 rests on the recitation of the above-identified features in a single reference, Applicants respectfully disagree with the Examiner's Statement because it is the combination of features that makes Claim 17 patentable. Accordingly, Applicants submit that Claim 17 of the present application is allowable because Claim 17 recites a combination of features that is not taught or suggested by the prior art.

Claim 22

The Examiner states, among other things, that the reason for allowance of Claim 22 is that "*Guan et al.* does not disclose defining a positive outcome associated with a range of medical costs equal to or greater than a cost threshold, and using a plurality of software-based, computer-executable machine to develop from the first, second and third subsets of the training data one or more sets of rules usable to predict either the positive outcome or the negative outcome."

To the extent that there is any implication that the patentability of Claim 22 rests on the recitation of the above-identified features in a single reference, Applicants respectfully disagree with the Examiner's Statement because it is the combination of features that makes Claim 22 patentable. Accordingly, Applicants submit that Claim 22 of the present application is allowable because Claim 22 recites a combination of features that is not taught or suggested by the prior art.

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/25/05

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